

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

As a preliminary matter, Applicants acknowledge with appreciation the indication of allowable subject matter in claims 2 and 4 of the subject application.

Claims 1-6 are currently pending in the application and subject to examination.

In the Office Action mailed October 8, 2004, the Examiner rejected claims 1, 3, 5, and 6 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Publication No. 2002-054474 to Atsushi. The Applicants hereby traverse the rejection, as follows.

The Applicants respectfully submit that Atsushi does not teach or suggest at least the limitation of a "control apparatus . . . wherein when the output required for the power source is larger than the output of the engine under the partial cylinder deactivation operation, and is smaller than the total of the output of the engine under partial cylinder deactivation operation and the output of the motor, which is adjustable for assisting the engine output, the control apparatus operates the engine . . . and controls the motor output for compensating the difference . . .," as recited in claim 1.


For at least these reasons, Applicants submit that claim 1 is allowable over the cited prior art. As claim 1 is allowable, Applicants submit that claims 3, 5, and 6, each of which depends from allowable claim 1, are likewise allowable over the cited prior art.

For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referring to client-matter number 107439-00089.

Respectfully submitted,
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